

## MEMO

**Submitted by:** Judy Kelly, Director, San Francisco Estuary Project

**Subject:** Authorization for Entering into Financial Assistance Agreement

**Date:** May 6, 2009

### **Executive Summary**

The Association of Bay Area Governments (San Francisco Estuary Project) has applied for federal ARRA (American Recovery and Reinvestment Act of 2009) stimulus funds as a forgivable loan to be administered by the State Board under the State Revolving Fund (SRF) program for the El Cerrito Green Streets project. The application was authorized by the Executive Board in Resolution 04-09 adopted on March 19, 2009.

The **El Cerrito Green Streets** pilot project retrofits a dense urban corridor with green stormwater infrastructure that detains and treats urban runoff to remove pollutants. The proposal partners with the City of El Cerrito in a shovel-ready green stormwater project—two rainwater gardens along San Pablo Avenue near El Cerrito City Hall—along with public outreach by the San Francisco Estuary Project. The project cost is \$392,000 and time to complete construction is six months.

### **Recommended Action**

The State Water Resources Control Board requests an additional Resolution using specific language drafted by State Board authorizing the Executive Director or his designee to enter into a financial assistance agreement with the State Board should this project be awarded funding. The proposed Resolution is attached and we request approval.

### **Next Steps**

Should ABAG receive a funding award, a financial assistance agreement would be entered into for completion of the project.

### **Attachments: Draft Resolution**

**ASSOCIATION OF BAY AREA GOVERNMENTS  
EXECUTIVE BOARD**

**RESOLUTION NO. 11-09**

**A RESOLUTION AUTHORIZING ENTERING INTO A FINANCIAL  
ASSISTANCE AGREEMENT WITH THE STATE WATER RESOURCES CONTROL  
BOARD FOR THE EL CERRITO GREEN STREETS PILOT PROJECT AND  
DESIGNATING A REPRESENTATIVE TO SIGN THE FINANCIAL ASSISTANCE  
AGREEMENT, AND ANY AMENDMENTS THERETO**

**WHEREAS**, the Association of Bay Area Governments is authorized to enter into a financial assistance agreement with the State of California and the State Water Resources Control Board; and

**WHEREAS**, the Association of Bay Area Governments authorizes the Executive Director, or designee, to sign the financial assistance agreement, and any amendments thereto; and

**WHEREAS**, the Association of Bay Area Governments agrees and further does authorize the aforementioned representative or his/her designee to certify that the Association of Bay Area Governments has and will comply with all applicable federal and state statutory and regulatory requirements related to any financial assistance funds received.

**ASSOCIATION OF BAY AREA GOVERNMENTS  
RESOLUTION NO. 11-09**

**NOW, THEREFORE, BE IT RESOLVED**, that the Executive Board of the Association of Bay Area Governments adopts Resolution No. 11-09.

The foregoing adopted by the Executive Board this 21<sup>st</sup> day of May, 2009.

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Rose Jacobs Gibson  
President

**Certification of Executive Board Approval**

I, the undersigned, the appointed and qualified Secretary-Treasurer of the Association of Bay Area Governments (Association), do hereby certify that the foregoing resolution was adopted by the Executive Board of the Association at a duly called meeting held on the 21<sup>st</sup> day of May, 2009.

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Henry L. Gardner  
Secretary-Treasurer

**Approved as To Legal Form**

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Kenneth K. Moy  
Legal Counsel

